Docket No. BTW-007
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of: John Kenton White

Application No.: 10/025866 Confirmation No.: 7545

Filed: December 26, 2001 Art Unit: 2828

For: ENHANCED LINK OPERATION OF DIRECTLY MODULATED LASERS USING GAIN-COUPLED GRATINGS

Examiner: D.T. Nguyen

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MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

"Express Mail" Mailing Label Number EV466147311US

Date of Deposit May 25, 2005

I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

David R Burns

Signature

David R. Burns

Please Print Name of Person Signing

## DECLARATION UNDER 37 C.F.R. § 1.132

Dear Sir:

I, John Kenton White, a citizen of the United States of America, residing at 302-589 Rideau Street, Ottawa, Ontario, K1N 6A1, Canada, hereby declares as follows:

(1) I am the sole inventor of the subject matter described and claimed in the above-identified application, assigned to Bookham Technology, PLC, of Abington, United Kingdom.

(2) I am a co-author along with S. Yang, K. Williams, R.V. Penty, I.H. White and I. Wood of the publication entitled "Enhanced Performance of Uncooled Strongly-Gain-Coupled

MQW DFB Lasers in 10Gb/s Link Applications" (hereinafter "White, *et al.*") presented at the European Conference for Optical Communications in the fall of 2001.

(3) I am the sole inventor of the subject matter described by the White, *et al.* publication relied upon by the Examiner to reject the above-identified application. Specifically, I am the sole inventor of the MQW DFB lasers studied through simulation and modeling by my co-authors. The White, *et al.* publication describes the results of simulating and modeling directly modulated lasers forming the basis of my invention. Prior to the experimental study I conceived and reduced to practice lasers forming the basis of the experimental study.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

John Kenton White

Date: May 13, 2005